

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:

FIRED UP, INC.

DEBTOR¹

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**CASE NO. 14-10447
(Chapter 11)**

**ORDER GRANTING DEBTOR'S EMERGENCY [FIRST] MOTION TO
REJECT UNEXPIRED LEASES ON NON-RESIDENTIAL REAL PROPERTY
PURSUANT TO 11 U.S.C. § 365 NUNC PRO TUNC TO THE PETITION DATE**

The Court has considered the Debtor's Emergency [First] Motion to Reject Unexpired Leases of Non-Residential Real Property Pursuant to 11 U.S.C. § 365 *Nunc Pro Tunc* to the Petition Date (the "Motion"). The Court finds that notice of the Motion is sufficient under the circumstances and that good cause exists for the requested relief to be granted. Accordingly, it is therefore:

¹ Until February 26, 2014, Debtor's business was being operated partially by the Debtor and partially by its two wholly owned subsidiaries, Kona Restaurant Group, Inc. and Carino's Italian Kitchen, Inc.. Those entities were merged into the Debtor on that date.

ORDERED that the Motion is GRANTED as describe herein; and it is further

ORDERED that pursuant to 11 U.S.C. § 365, the rejection of the Real Property Leases identified on Exhibit A hereto is hereby approved, effective as of the Petition Date; and it is further.

ORDERED that any claim by the non-Debtor parties arising from the rejection of any Real Property Leases other than those that have been formally terminated pre-petition shall be deemed to constitute a prepetition claim against the Debtor pursuant to 11 U.S.C. § 365; and it is further

ORDERED that any claims for rejection of the unexpired leases set forth herein shall be filed by the general bar date in this case; and it is further

ORDERED that the Debtor shall promptly serve a copy of this Order on all counterparties of the Real Property Leases; and it is further

ORDERED that the Court hereby retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

All relief not expressly granted in this order is denied.

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Prepared and submitted by:

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